



SBE Meeting Highlights

A summary of key actions by the California State Board of Education January 2002

SBE Approves Historic RLA/ELD Textbook Adoption

For the first time in California history, the State Board of Education adopted K-8 textbook programs that include specially designed instructional strategies to ensure English learners have equal access to the state's rigorous English-Language Arts academic content standards, which lay out what students should know and be able to do at each grade level.

The action came as the State Board approved the 2002 Reading-Language Arts/English Language Development Instructional Materials Adoption as recommended by the State Board's Curriculum Development and Supplemental Materials Commission. As a result, California becomes the first state in the nation to require all K-8 basic instructional programs to include materials that can be used by the regular classroom teacher to teach grade-level content standards to English learners while they attain English-language proficiency. Of the 1.5 million English learners in California's public schools, 1.2 million are enrolled in K-8 and will be the beneficiaries of today's action. All publishers who submitted instructional materials for adoption were required to provide explicit programs for English learners, with the programs integrated into the basic materials and teacher editions. Furthermore, the State Board-adopted materials include specially designed programs to provide intervention instruction to English learners in grades 4-8 who are entering those grades below the intermediate level of English proficiency.

"In line with the leadership of my predecessor, Monica Lozano, the State Board today has put the instructional materials needs of English learners at the center of instruction, not as an afterthought," State Board President Reed Hastings said in a statement after the vote.

"For the first time, instructional strategies to meet the needs of English learners are being integrated into the basic reading and language arts materials that will be used in every classroom, every day." *A list of the adopted instructional programs is available on the Internet at www.cde.ca.gov/cfir.*

Proposed English Learner Regulations Re-Issued

The State Board once again took action to ensure that the parents of California's 1.5 million English learners are able to fully exercise their rights to parental exception waivers under proposed regulations implementing the provisions of Proposition 227.

On a motion by Board Member Joe Nuñez, the SBE unanimously approved revised English learner regulations to delete language that had formed the basis for the last, unresolved issue following extensive discussions held with advocacy and statewide educational groups in December 2001. As required, the State Board approved an additional, 15-day public comment period on the revised draft regulations, which are now scheduled for final adoption in February 2002.

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SBE Executive Director John Mockler previously noted that the proposed regulations reflect many of the changes suggested by the advocate groups during recent meetings, as follows:

Parental Exception Waivers

The section on parental exception waivers now contains these revisions:

- Clarifies that a pupil who has already been placed in an English language classroom for 30 days, and has received a waiver and is enrolled in an alternative program, does not need to repeat this 30-day process as long as the pupil is enrolled in the alternative program;
- Parents and guardians must be provided with a full, written description and upon request from a parent or guardian, a spoken description of the structured English immersion program and any alternative courses of study and all educational opportunities;
- Specifies that parental waiver requests shall not be denied solely on the grounds that the district or school does not have an alternative program;
- Provides some procedural safeguards that apply if a principal and educational staff initiate or recommend a waiver request;
- Clarifies that the parents/guardians must be informed of an appeal to the local governing board of the school district only if the local board has established that appeals process, or to a court.

State law requires the California Department of Education, with the approval of the State Board, to establish procedures for the reclassification of a pupil from English learner to proficient in English. Below is a brief description of changes in the proposed regulations:

Reclassification

- Specifies that the notice to parents include a description of the reclassification process and the notice of the opportunity of the parents to participate in the reclassification process;
- Clarifies the State Board's intent to establish a statewide empirically based range of performance in basic English/language arts skills as required by Education Code section 313(d)(4);
- Conforms to the language of Section 313 requiring the state to establish procedures to be used for the reclassification of pupils;
- References the regulations adopted by the State Board for conducting the English language development test.

Science Framework Reviewed, Revisions Expected

The State Board held a public hearing on a revised draft Science Framework, with the latest version containing amendments made to the document by the Curriculum Development and Supplemental Materials Commission in November 2001.

No final action was taken but State Board President Reed Hastings directed the staffs of the SBE and CDE to gather further suggested refinements. Hastings said if the revisions are ready within two weeks and can be posted on the Web, then that would provide a two-week comment period, allowing the State Board to be prepared to take action in February. If members are still not happy with the updated draft in February, or if the two-week review period was not possible, then the State Board can defer action until March, Hastings added. The Board agreed to this process by consensus.

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In general, the Science Framework focuses on content as defined by the grade-level and discipline standards for earth, life and physical science, including the investigation and experimentation strand. It calls for instructional programs and strategies, instructional materials, professional development, and assessments that are aligned with the State Board-adopted science content standards (the SBE adopted academic content standards in science for K-12 in October 1998). *The draft Science Framework can be viewed at www.cde.ca.gov/cfir.*

Non-compliance with Comité Leads to Sanctions

The State Board approved 2001-2002 Consolidated Applications for 22 school districts and gave conditional approval to another 16 districts, while 5 districts received conditional approval but had Economic Impact Aid funding withheld for non-compliance with state law related to services for English learners.

Over the past few months, the State Board has considered and approved applications for funding Consolidated Categorical Aid Programs in school districts covered by a consent decree under *Comité de Padres, et al., v. Superintendent of Public Instruction, et al.*

Last fall, Hastings had asked the full Board to seriously consider and withhold money from a number of *Comité* school districts that have been out of compliance with state law regarding services to English learners for more than three years.

“Three years is certainly sufficient time in my opinion to come into compliance with the law,” Hastings had said. “These districts should be put on notice that this Board does not intend to take non-compliance lightly.”

The following districts may earn back their EIA funding by meeting compliance benchmarks and timelines: Alum Rock Union Elementary School District; Compton Unified School District; Grant Joint Union High School District; Oakland Unified School District; and Pittsburg Unified School District. The 2001-2002 Consolidated Application from the Sacramento City Unified School District was withdrawn from consideration under this agenda item; it will be presented at a future meeting.

Other Items of Interest

Teachers of the Year Recognized: The State Board recognized California’s Teachers of the Year 2002 for their outstanding work and achievement. The outstanding teachers honored were: Carol Brouhle, Huntington Beach Union High School District, Orange County; Mary Eileen Geer, West Covina Unified School District, Los Angeles County; Janet Gower, Mount Diablo Unified School District, Contra Costa County; Marvin N. Inmon, Anaheim City School District, Orange County; and Chauncey Veatch, Coachella Valley Unified School District, Riverside County.

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SBE Officers Elected for 2002: The State Board unanimously elected Reed Hastings to serve as president of the State Board for 2002, while Joe Nuñez was elected to serve as vice president. Hastings became president in the spring of 2001 following the departure of former State Board president Monica Lozano.

Special Ed Commission: The State Board unanimously appointed Catherine Conrado and Catherine E. Garbacz to four-year terms on the Advisory Commission on Special Education. Ms. Conrado, Ed.D., is director of Special Education and Districtwide Testing for the El Dorado Union High School District. Ms. Garbacz currently is an Executive Fellow serving in the California Research Bureau. The four-year terms end December 31, 2005.

AB 466 Emergency Regulations: The State Board approved emergency regulations to implement AB 466, the Math and Reading Professional Development Program. Under the legislation, the State Board is required to adopt the criteria that providers of the professional development training under AB 466 must meet if they are to be retained by local education agencies applying for program funding. The State Board is expected to adopt the provider selection criteria in February.

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